

Willie S. Griggs v. Duke Power Company, Supreme Court of the
United States, March 8, 1971

This is the landmark decision bearing upon personnel testing and selection. It states that "...Congress has placed on the employer (in the Civil Rights Act of 1964) the burden of showing that any given requirement must have a manifest relationship to the employment in question."

The decision further states, "Nothing in the Act (Civil Rights Act of 1964) precludes the use of testing or measuring procedures; obviously they are useful. What Congress has forbidden is giving these devices and mechanisms controlling force unless they are demonstrably a reasonable measure of job performance. Congress has not commanded that the less qualified be preferred over the better qualified simply because of minority origins. Far from disparaging job qualifications as such, Congress has made such qualifications the controlling factor, so that race, religion, nationality, and sex become irrelevant. What Congress has commanded is that any tests used must measure the person for the job and not the person in the abstract." (Emphasis added.) This means that job analysis even for promotion is vital.

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